

Prior to publication, certain information contained within this announcement was deemed by the Company to constitute inside information for the purposes of Regulation 11 of the Market Abuse (Amendment) (EU Exit) Regulations 2019/310. With the publication of this announcement, this information is now considered to be in the public domain.

11 July 2023

Bens Creek Group plc

("Bens Creek", the "Group" or the "Company")

Issue of \$7.6m of loan notes to ACAM LP to extinguish final convertible loan note due December 2023

and

issue of warrants to ACAM LP

Bens Creek Group plc (AIM:BEN), the owner of a metallurgical coal mine in North America supplying the steel industry, announces that it has issued c.\$7.57 million (equivalent to c. £5.89 million based on current exchanges rates) of unsecured loan notes (the "**Loan Notes**") to ACAM LP ("**ACAM**").

The Loan Notes have been issued to ACAM in replacement for the now cancelled \$6m of convertible loan notes (the "**CLNs**") issued to ACAM on 14 December 2021, full details of which were included in the Company's announcement of 15 December 2021. The CLNs were due for repayment on 31 December 2023.

Following negotiations with ACAM it has been agreed that they would cancel the CLNs and accept the Loan Notes by way of replacement. The Loan Notes have a term of 18 months. The Loan Notes are not convertible into new ordinary shares in the Company.

The terms of the Loan Notes are broadly similar to the loan notes issued to Avani Resources Pte Ltd, details of which were announced by Bens Creek on 7 July 2023.

The Company has also issued ACAM with a total of 21,082,257 warrants to subscribe for new ordinary shares in Bens Creek exercisable at 28 pence per ordinary share. The warrants have a life of five years from the date of issue and can be exercised at any time by ACAM during the period ending 10 July 2028.

Terms of the Loan Notes

Bens Creek has entered into an unsecured loan note agreement with ACAM for a total subscription of \$7,567,990 of Loan Notes. The Loan Notes have a term of 18 months and interest will roll up and be repaid as a bullet at maturity of the Loan Note (the "**Repayment Date**").

Bens Creek will repay to ACAM \$2 per tonne of clean coal sold within 7 business days of production (the "**Coal Payments**"). The principal outstanding under the Loan Notes, less Coal Payments or other prepayments, will be repayable on the Repayment Date.

Simple interest shall be added to the principal amount of the outstanding Loan Notes on each relevant Repayment Date. The interest shall be calculated at a rate of 15.1% per annum from and including the date of issue of the Loan Notes, up to and including the date of the redemption or repurchase of the relevant Loan Notes. The interest shall be payable in the same manner as in the case of the original principal amount of the Loan Notes and shall otherwise be treated as principal of the Loan Notes for all purposes.

In the event Bens Creek redeems or fully repays the Loan Notes prior to the Repayment Date it shall, together with the payment of the principal amount outstanding, pay for the account of the Lender a prepayment

calculated at a rate of 15% per annum from and including the date of issue of the Loan Notes up to and including the date of the redemption or repurchase of the Loan Notes.

The amount described in the paragraph above shall become payable by Bens Creek upon a prepayment or early redemption of the Loan Notes prior to the relevant Repayment Date.

The Loan Notes are not convertible into new ordinary shares of the Company.

Adam Wilson, Chief Executive Officer of Bens Creek, commented:

"The provision of early financial support by ACAM was instrumental in allowing the Company to enhance its earthmoving fleet and to substantially complete the initial necessary bench construction to support our high wall miner. We are pleased that we have been able to successfully repay in full the CLNs due this summer (announced on 7 July 2023) and we are delighted that ACAM have shown further confidence in the Company by entering into these new loan arrangements."

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